

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

[27] FERNANDO ROJAS-RODRIGUEZ,
Defendant.

Criminal No. 07-488 (ADC)

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Magistrate-Judge Bruce J. McGiverin on January 13, 2009. (**Docket No. 1083**). In said Report and Recommendation the Magistrate-Judge recommends that: defendant **Fernando Rojas-Rodríguez** be adjudged guilty of the offenses charged in Counts One and Seven (T. 21, U.S.C. §§ 846, 841(a)(1), (b)(1)(C), (b)(2) and 860; T. 18, U.S.C. §§ 924(c)(1)(A)(i) and 2)) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Counts One and Seven of the indictment in the above-captioned case.

The sentencing hearing is set for March 31, 2009 at 5:30 p.m.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 3rd day of February, 2009.

S/AIDA M. DELGADO-COLON
United States District Judge